

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:05CR411
Plaintiff,)	
)	
vs.)	ORDER
)	
JOSE ANTONIO NARANJO,)	
)	
Defendant.)	

This matter is before the court on the motion to continue by defendant Jose Antonio Naranjo (Naranjo) (Filing No. 24). Naranjo seeks a continuance of forty-five days for the currently scheduled trial. Naranjo's counsel represents that Naranjo will submit an affidavit in accordance with paragraph 9 of the progression order whereby Naranjo consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Naranjo's motion to continue trial (Filing No. 24) is granted.
2. Trial of this matter is re-scheduled for **April 17, 2006**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **March 3, 2006 and April 17, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 3rd day of March, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge